

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RENEE McCOY, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

HEALTH NET, INC., HEALTH NET OF
THE NORTHEAST, INC. and HEALTH NET
OF NEW JERSEY, INC.,

Defendants.

Civil Action No. 03-cv-1801 (FSH)(PS)

ZEV and LINDA WACHTEL, individually
and on behalf of their minor son, TORY
WACHTEL, and on behalf of all others
similarly situated,

Plaintiff,

v.

GUARDIAN LIFE INSURANCE CO. OF
AMERICA, HEALTH NET, INC., HEALTH
NET OF THE NORTHEAST, INC. and
HEALTH NET OF NEW JERSEY, INC.,

Defendants.

Civil Action No. 01-cv-4183(FSH)(PS)

**DEFENDANTS' NOTICE OF MOTION
TO STRIKE PLAINTIFFS' REPLY BRIEF
OR, IN THE ALTERNATIVE, MOTION
FOR LEAVE TO FILE A SURREPLY
BRIEF**

ORAL ARGUMENT REQUESTED

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PLEASE TAKE NOTICE that Health Net, Inc., Health Net of the Northeast, Inc. and Health Net of New Jersey, Inc. (collectively, “Defendants”) hereby move to strike Plaintiffs’ Reply Brief In Response To Health Net’s Submission Regarding Special Master Cathy Fleming’s May 31, 2007 Report or, in the alternative, move for leave to file a Surreply Brief.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants shall rely upon the accompanying Memorandum of Law, Certification of Robert A. White and proposed form of Order.

Dated: August 6, 2007

Jay H. Calvert, Jr.
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s/ Robert A. White

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Inc., and Health Net of New Jersey, Inc.